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CHRISTOPHER RYAN BUSBY

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CHRISTOPHER RYAN BUSBY,

Defendant.

Case No.: 2:15-cr-00353-GMN-NJK

**STIPULATION TO CONTINUE  
EVIDENTIARY HEARING**

**(Fifth Request)**

IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson, United States Attorney, and Nadia Ahmed, Assistant United States Attorney, and Angela Dows, Esq., counsel for the Defendant, Christopher Ryan Busby, that: (a) the evidentiary hearing regarding Defendant's Motion Pursuant to 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody (ECF No. 184), currently set for November 18, 2024, along with (b) the deadline for the joint preliminary brief, be vacated and continued to a date and time convenient to the Court, but no sooner than ninety (90) days.

This Stipulation is entered into for the following reasons:

1. On October 10, 2023, the Court issued an Order denying Busby's motion in part and preserving for evidentiary hearing certain of his claims relating to alleged ineffective assistance of his defense counsel (ECF No. 203). Pursuant to the parties' request, the Court set the evidentiary hearing for February 29, 2024. (ECF No. 207). The parties subsequently submitted one or more stipulations to continue the evidentiary hearing, with continued evidentiary

1 hearing dates of May 1, 2024, July 1, 2024, September 16, 2024, and November 18, 2024. (*See*,  
2 *e.g.* ECF No. 212; ECF No. 234).

3         2.         The Court ordered the parties to submit a joint preliminary brief listing the  
4 witnesses the parties intend to call, and explaining the issues the parties intend to clarify and  
5 develop at the hearing, which currently has a due date of on or before November 4, 2024.

6         3.         Counsel for the defendant hired a computer forensic expert in the matter.  
7 Without disclosing a level of detail that may include work product, said expert has been able to  
8 complete its review of the discovery. Said computer expert is still in the review process, and  
9 requests additional time to be able to conduct additional reviews and analysis. Due to the nature  
10 of the case, a review of the underlying computer information requires an appointment at a  
11 facility in which the information is stored at a work station with law enforcement. At least one  
12 additional appointment was anticipated by the expert to review the information at the law  
13 enforcement facility.

14         4.         On May 10, 2024, Busby was assaulted by another inmate at the Nevada Southern  
15 Detention Center in Pahrump Nevada. The assault resulted in Busby losing several teeth, having  
16 facial fractures requiring surgical installation of metal plates, and a compromised eye socket.  
17 Busby is continuing to work through medical treatment related to the injuries. The medical  
18 treatment limited the availability of counsel to confer with the client.

19         5.         On May 19, 2024, counsel for Busby filed a motion for leave to file first amended  
20 motion to vacate. Said motion was denied on July 2, 2024. (ECF No. 239; ECF No. 242; ECF  
21 No. 254). On June 4, 2024, and July 16, 2024, in part, counsel for Busby filed an original and  
22 renewed motion for discovery, to wit the issuance of certain document subpoenas. (ECF No. 243;  
23 ECF No. 255). Said renewed motion was granted on August 5, 2024. (ECF No. 260.)

6. On July 18, 2024, the Court granted Busby's motion for sentence reduction, reducing the term of imprisonment from 121 months to 113 months. (ECF No. 257.) In relation to said sentence reduction, Busby is or will be transported via the Bureau of Prisons to be eventually processed out of Busby's current custody status. Said processing necessarily required movement of Busby from the local pretrial facility to a facility in or near Michigan, USA, which took place on approximately September 12, 2024. Busby has been at the processing facility and then incarcerated at the Michigan, USA facility ever since, and remains in custody in Michigan to date at FCI Milan. The current listed release date for Busby is in August of 2025. (See <https://www.bop.gov/inmateloc/> (under search for "Christopher Busby" as of August 23, 2024)).

7. Busby's custody status significantly limits the ability for Busby to confer with counsel in advance of the current evidentiary hearing date. To and through October of 2024, counsel for Busby continues to confer with the appropriate contacts to obtain updates as to the timing and status of Busby's movement to a halfway house and/or custody end date.

8. The defendant is in custody and agrees with the need for the continuance.

9. Additionally, denial of this request for continuance could result in a miscarriage of justice. This is the fifth request for a continuance filed herein.

10. Accordingly, the parties request a ninety (90) day continuance of the hearing date and joint preliminary brief.

DATED this 27th day of October 2024.

Respectfully submitted,

JASON M. FRIERSON  
United States Attorney

/s/ Nadia J. Ahmed  
NADIA J. AHMED  
Assistant United States Attorney

/s/ Angela H. Dows  
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Attorney for CHRISTOPHER BUSBY

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6 **DISTRICT OF NEVADA**

7 UNITED STATES OF AMERICA,

8 Plaintiff,

9 vs.

10 CHRISTOPHER RYAN BUSBY,

11 Defendant.

Case No.: 2:15-cr-00353-GMN-NJK

**ORDER**

12 IT IS THEREFORE ORDERED that the evidentiary hearing scheduled for Petitioner  
13 Christopher Ryan Busby's Motion to Vacate, Set Aside, or Correct Sentence Under 28 U.S.C.  
14 § 2255 (ECF No. 184), currently scheduled for November 18, 2024, be vacated and continued  
15 to February 19, 2025 at the hour of 9:00 AM.

16 IT IS FURTHER ORDERED that the deadline for filing the joint preliminary brief be  
17 continued to February 5, 2025.

18 DATED this 23 day of October, 2024.

19  
20  
21   
22 UNITED STATES DISTRICT JUDGE  
23